

4/20/15

2:05 P.M.

Chapter No. 95
15/SS26/A160SG
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SENATE BILL NO. 2889

Originated in Senate

Ling Welch

Secretary

SENATE BILL NO. 2889

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2016.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2015, and ending June 30, 2016
..... \$ 11,117,008.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2015, and ending June 30, 2016
..... \$ 46,605,453.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	451
	Part Time	2
Time-Limited:	Full Time	1
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2016 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2016 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2016 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation

requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Provided that a report based on expenditures incurred during the current and immediate past fiscal years shall be provided to each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School

Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

It is also the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Tort Claims Fund for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2015, and ending June 30, 2016
..... \$ 9,122,430.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose,

unless programs or positions are added to the agency's Fiscal Year 2016 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2016 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2016 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions

without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2015, and ending June 30, 2016.....\$ 40,451.00.

SECTION 7. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2015, and ending June 30, 2016 \$ 29,384.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status

of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2016 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2016 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency

has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2016 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 9. Of the funds appropriated under the provisions of Section 2, the following amounts are authorized to be spent out of

the Statewide Cost Allocation Fund No. 3314300000 by the Department of Finance and Administration:

(a) Four Hundred Thirty-three Thousand Three Hundred Forty-four Dollars (\$433,344.00) for the purpose of defraying computer expenses.

(b) One Million Five Hundred Twenty-seven Thousand Five Hundred Seventy-six Dollars (\$1,527,576.00) for the purposes of providing statewide accounting, payroll and document management and defraying the expenses of administration of the Statewide Cost Allocation Plan.

SECTION 10. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2015. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2017 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2016 budget request process.

SECTION 11. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The Mississippi Department of Finance and Administration is hereby authorized to receive additional funds from any state agency or other source, including one hundred percent (100%) general-fund agencies, for the purpose of providing Capitol Police Services to any governmental organization, located within a one-mile radius of the Capital Complex, contracting with the Mississippi Department of Finance and Administration for such services. Of the funds appropriated in Section 2, an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00) and ten (10) positions are provided in order to provide the required Police Protection services for such governmental organizations, under the rules and regulations of the Department of Finance and Administration.

SECTION 14. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental

funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 15. Of the funds herein appropriated, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended, from any funding source, for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the repair and maintenance of buildings under the care and supervision of the Department of Finance and Administration.

SECTION 16. Of the funds appropriated in Section 2, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 17. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Treasury to the credit of Fund 6114B00000 for the Department of Finance and Administration for the purpose of reauthorizing the

expenditure of Budget Contingency Funds, as authorized in House Bill No. 19, Regular Session of 2013, to provide additional funding to continue the operations of the MAGIC project for the fiscal year beginning July 1, 2015, and ending

June 30, 2016 \$ 8,926,929.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2015, or change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Treasury to the credit of Fund 6414C00000, for the Department of Finance and Administration for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in Senate Bill No. 2902, Regular Session of 2014, to provide additional funding to continue the operations of the MAGIC project for the fiscal year beginning July 1, 2015, and ending

June 30, 2016 \$ 5,074,430.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2015, or change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Treasury to the credit of Fund 6414E00000, for the Department of

Finance and Administration for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in House Bill No. 901, Regular Session of 2013, to provide additional funding to continue the operations of the MAGIC project for the fiscal year beginning July 1, 2015, and ending

June 30, 2016 \$ 12,333,741.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2015, or change the purpose for which the funds were originally authorized.

SECTION 20. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Treasury to the credit of Fund 6493P00000, for the Department of Finance and Administration for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in House Bill No. 901, Regular Session of 2013, to provide additional funding to pay the cost of repairs caused by the hail storm of March 18, 2013, for the fiscal year beginning July 1, 2015, and ending

June 30, 2016 \$ 574,167.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2015, or change the purpose for which the funds were originally authorized.

SECTION 21. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted

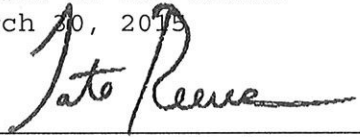
Full-Time Permanent Positions in Section 3 of this bill may be used for performing related administrative duties of the State Property Insurance program.

SECTION 22. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE SENATE
March 30, 2015



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 30, 2015



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

4/20/15
2:05pm